

OPEN MEETING AGENDA ITEM
ORIGINAL Town of Buckeye



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January 10, 2008

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Chairman Mike Gleason
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Re: Rulemaking to Amend Existing Rules and/or Establish New Rules Regarding the Commission's Requirements for Applications Requesting Approval to Obtain a New Certificate of Convenience and Necessity or Extend an Existing Certificate of Convenience and Necessity for Water and Sewer Utilities, Docket Nos. RW-00000B-07-0051 and RSW-00000A-07-0051.

Dear Chairman Gleason:

The Town of Buckeye submits this letter in support of the comments by the City of Surprise concerning the proposed changes to the existing water and sewer rules. The comments were filed with the Commission on January 2, 2008, and will be considered by your Commission at the January 15 and 16 (2008) Commission meetings.

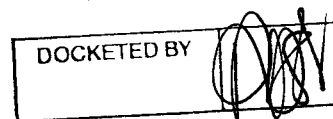
The Town of Buckeye, believes that amending the proposed rules to require applicants to provide a "notice of application" to any municipality near the area under application is in the public's best interest (see attachment). Such notice will ensure that municipalities promptly learn of all applications that may affect the municipality's current and future residents and will be positioned to provide the Commission with any relevant information concerning the area to be served (such as whether the City expects to annex the area in the immediate future and/or is capable of serving the area itself). Facilitating such communication between all interested parties can only improve the Commission's decision making process. For this reason, the Town of Buckeye strongly encourages the Commission to adopt the proposed revision.

Sincerely,

Jeanine Guy
Interim Town Manager

Arizona Corporation Commission
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JAN 14 2008



Attachment: Requested new subsection language

Requested New Subsection Language

The Town of Buckeye asks that the Proposed Rules be revised to create a new subsection between R14-2-402(B)(2)(m) and (n) and add sub-section R14-2-602(B)(n)

(n) A copy of the applicant's notice of the application to the Water Services Department of any city or town within five miles based on the city or town corporate limits of the area under application or, where the city or town lacks a Water Services Department, to the city or town clerk;

This additional notice requirement will ensure that interested municipalities promptly learn of all applications and are well positioned to provide the Commission with any relevant information concerning the area to be served. This requirement would not place any undo burden on applicants, as the Proposed Rules already require identification on a map, submitted with the application, the "corporate limits of any city or town that cross or are within five miles of the area under application"(Proposed Rules at R14-2-402(B)(j)(iv) and R14-2-602(B)(k)(iv)).